

**35 U.S.C § 102**

Examiner stated that claims 30-35, 38-41 and 43-47 are rejected under 35 U.S.C. 102(e) as being anticipated by Gruteser (US 6,870,477). More particularly Examiner stated that with respect to claim 30, Gruteser discloses a member (100) selected from the group of members consisting of a chair member, a bed member and a lounge member, said member having moving parts (unlabeled), in the form of a seat or back that is deformable (column 6, line 20), and a controller (240) for said moving parts which outputs information from said member concerning directions for the operation of said controller for the moving parts including information output circuitry (130) and an energy converter, either in the form of "solar cells" (column 5, line 17) or wheels (105) "used to generate electricity" (column 5, line 29) which converts energy to which the member is exposed (i.e. solar energy or kinetic energy) to electrical energy for powering said information output circuitry wherein said information output circuitry outputs information to an occupant of the member, given that the controller (240) may include a PC having "a user interface including input devices and displays which may be used by the occupant of the chair to make manual adjustments to environmental parameters and which may also convey information to the occupant about the status or results of information carrying signals sent from or received by the chair systems" (column 6, lines 7-12), regarding directions for the operation of the controller for the moving parts without producing movement of the parts.

Agent for Applicant respectfully states that Gruteser does not teach:

(a) Controls mounted on said member, and which controls provide movement of said moveable parts: information output circuitry which outputs information of said member, and which controls provide movement of said moveable parts; information output circuitry which outputs information from said member concerning directions for the operation of said controls for the moving parts...output circuitry outputs information to an occupant of the member regarding the directions for the operation of the controls for the moving parts without producing movement of the parts.

Gruteser teaches:

The chairs coupled by a wireless communication device 130 to remote systems 225 the remote systems 225 maybe located on the same premises with the chair or maybe a considerable distance away. (see column 5, lines 35-39 of Grutesen)

Moreover, figure 2 of Gruteser shows that the commuting system 240 is connected to the network 250 within remote systems 225.

Applicant on the other hand teaches:

Figure 1 shows the chair generally indicated at 1. This chair has a chair seat 3 and a chair back 5. Its supported by a pedicle based 7 heading roller casters 9. The chair 1 has a plurality of chair movement controls generally indicated at 11. These controls are provided with sensors 13. (see page 3, line 29-34 of applicant's specification)

Furthermore, in one embodiment figure 1 shows controls 11 mounted on the chair.

Claims 31, 32, 33, and 34 depend on claim 30 and accordingly agent for applicant relies on the same statements with regard to claim 30.

Examiner stated with respect to claim 35 and 46-47 Gruteser discloses the member (100) selected from the group of members consisting of a chair member, a bed member and a lounge member, said member (100) including an information output device (130) (140) (145) (240) which outputs information from said member, an energy converter which converts energy to which the members exposed to electrical energy for powering said information output device, wherein the information output device comprises a control (240) for a moveable part (i.e. a vibrator (column 6, line 23) of said member, said control (240) outputting information to an occupant of the member in the form of a signal regarding function of said control without producing movement of the chair (column 6, line 7-12). Examiner stated that the effectors (210) actually produce movement of the chair. Agent for Applicant contrived Examiners objections: however has amended claim 35 to more fully criticize that the control is mounted on said member whereas Examiner's characterization of control (240) of Gruteser is not mounted on the chair but rather is part of the remote system 225 of Gruteser. Moreover, claims 38,39,40,41 and

44 are dependent claims, whereby Applicant first indicated the comments made with respect to the independent claims from which they are linked.

Moreover, Examiner stated with respect to the claim 45 a chair(100) have an electrical power requirements for displaying information to an occupant of the chair regarding the operation of the plurality of controls for moving a plurality parts respectively of the chair without producing movement of the parts comprising: an energy converter means (i.e. a form of a solar cell or ruler castors (105) (carried by said chair for: providing power to said controls to move the parts of the chair respectfully and to display the said information to the occupant regarding the directions of the operation of the controls, without affecting movement of said parts, to inform the occupant to use the controls to move said parts of the chair respectfully and providing power to said display for displaying information regarding directions of the operation of said controls without producing movement of the parts.

In this regard Agent for the Applicant has amended claim 45 to more fully particularize that the controls are mounted on the chair. Moreover claim 47 has been amended to more fully particularize that the control is mounted on the member for moving a part of the member.

**35 U.S.C 103**

Examiner stated that claims 36-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gruteser (6,870,477) in view of Sparks (6,204,767). As disclosed above, Gruteser disclosed all claimed elements except the provision of audio feedback from the control. In this regard Agent for Applicant respectfully states that claims have been amended to overcome such objection.

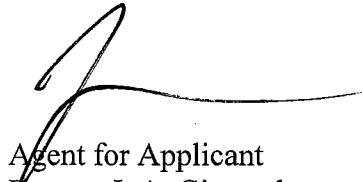
Furthermore, Examiner stated claim 42 is rejected as unpatentable over Gruteser in view of Burt. Agent for Applicant respectfully states that the claims have been amended so as to overcome the objection.

**CONCLUSION**

Agent for Applicant has reviewed Examiners response to amendments under paragraph 6. Agent for Applicant respectfully traverses the Examiner's comments thereto. However in order to more fully practicalize the invention Applicant has amended the claims so as to focus on the fact that the controls are mounted on the member whereas Gruteser teaches that the control namely PC 240 is remote from the chair.

Agent for Applicant respectfully states that the application is now in condition for immediate allowance and respectfully solicits same.

Yours faithfully,



Agent for Applicant  
Eugene J. A. Gierczak  
(Registration NO. 31,690)  
**MILLER THOMSON LLP**  
Barristers & Solicitors  
Scotia Plaza  
40 King Street West, Suite 5800  
P.O. Box 1011  
Toronto, Ontario Canada M5H 3S1  
Telephone No. 416.596.2132  
Telecopier No. 416.595.8695  
EJAG/fa

cc: Terry Cassaday